

AMENDED IN SENATE APRIL 19, 2010

AMENDED IN SENATE MARCH 23, 2010

SENATE BILL

No. 1295

Introduced by Senator Dutton

**(Coauthors: Senators ~~Cogdill and Denham~~ Ashburn, Cogdill,
Denham, DeSaulnier, Huff, Kehoe, and Lowenthal)**

February 19, 2010

An act to amend Sections 5101.4 and 5101.8 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1295, as amended, Dutton. License plates.

Existing law authorizes a person who is a recipient of the Army Medal of Honor, Navy Medal of Honor, Air Force Medal of Honor, Army Distinguished Service Cross, Navy Cross, Air Force Cross, or Purple Heart to apply for special license plates for his or her vehicle. The person's surviving spouse may retain the special license plates, subject to certain conditions. Existing law exempts these recipients from payment of vehicle registration fees and payment of charges under the Vehicle License Fee Law.

This bill would authorize another surviving member of the deceased medal recipient's family, as defined, to retain one of the special license plates as a family heirloom, ~~upon submitting an affidavit to the Department of Motor Vehicles agreeing not to attempt to use the special license plates for vehicle registration purposes~~, subject to the condition that the special license plates are not valid for use for vehicle registration purposes or for the specified exemption from fees and charges by a person other than the person issued the special license plates and the surviving spouse of that person.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5101.4 of the Vehicle Code is amended
2 to read:
3 5101.4. (a) Any person otherwise eligible under this article
4 who is a recipient of the Army Medal of Honor, Navy Medal of
5 Honor, Air Force Medal of Honor, Army Distinguished Service
6 Cross, Navy Cross, or Air Force Cross may apply for special
7 license plates for the vehicle under this article.
8 (b) The applicant, by conclusive evidence, shall show that the
9 applicant is a recipient of one of the nation's highest decorations
10 for valor, as specified in subdivision (a).
11 (c) The special license plates issued under this section shall
12 contain the words "Legion of Valor" and shall run in a regular
13 numerical series. An adhesive sticker denoting which of the
14 nation's highest decorations for valor, as specified in subdivision
15 (a), is held by the applicant shall be affixed in a recess provided
16 for it on the license plates.
17 (d) Upon the death of a person issued special license plates
18 pursuant to this section, his or her surviving spouse may retain the
19 special license plates subject to the conditions set forth in this
20 section. If there is no surviving spouse, the special license plates
21 shall be returned to the department either (1) within 60 days
22 following that death or (2) upon the expiration of the vehicle
23 registration, whichever occurs first. However, in the absence of a
24 surviving spouse, another surviving member of the deceased medal
25 recipient's family may retain one of the special license plates as
26 a family heirloom, subject to the conditions set forth in subdivision
27 (g), ~~upon submitting an affidavit to the department agreeing not~~
28 ~~to attempt to use the special license plates for vehicle registration~~
29 ~~purposes.~~ *conditions set forth in subdivision (g).*
30 (e) If a surviving spouse who has elected to retain the special
31 license plates as authorized under subdivision (d) dies while in
32 possession of the special license plates, the special license plates
33 shall be returned to the department either within 60 days following
34 that death, or upon the expiration date of the vehicle registration,
35 whichever date occurs first. However, another surviving member

1 of the deceased medal recipient's family may retain one of the
2 special license plates as a family heirloom, ~~subject to the conditions~~
3 ~~set forth in subdivision (g), upon submitting an affidavit to the~~
4 ~~department agreeing not to attempt to use the special license plates~~
5 ~~for vehicle registration purposes. subject to the conditions set forth~~
6 ~~in subdivision (g).~~

7 (f) Sections 5106 and 5108 do not apply to this section.

8 (g) The special license plates issued under this section are not
9 valid for use for vehicle registration purposes or for the purposes
10 of Section 9105, or Section 10783 or 10783.2 of the Revenue and
11 Taxation Code, by a person other than the person issued the special
12 license plates under subdivision (a) and the surviving spouse of
13 that person.

14 (h) For purposes of this section, "family" means grandparents,
15 stepgrandparents, parents, stepparents, siblings, stepsiblings,
16 children, and stepchildren of the person issued the special license
17 plates under subdivision (a).

18 SEC. 2. Section 5101.8 of the Vehicle Code is amended to
19 read:

20 5101.8. (a) Any person otherwise eligible under this article
21 who is a Purple Heart recipient may apply for special license plates
22 for vehicles that are not used for transportation for hire,
23 compensation, or profit, under this article. The special plates
24 assigned to the vehicle shall run in a separate numerical series,
25 shall have inscribed on the plate the Purple Heart insignia, and
26 shall contain the words "Combat Wounded" and "Purple Heart"
27 or at least the letters "PH" as part of the numerical series. The
28 department shall reserve and issue the special plates to all
29 applicants providing the proof required by subdivision (b).

30 (b) The applicant, by satisfactory proof, shall show that the
31 applicant is a Purple Heart recipient.

32 (c) Special plates may be issued pursuant to subdivision (a) only
33 for a vehicle owned or coowned by a Purple Heart recipient.

34 (d) Upon the death of a person issued special license plates
35 pursuant to this section, his or her surviving spouse may retain the
36 special license plates subject to the conditions set forth in this
37 section. If there is no surviving spouse, the special license plates
38 shall be returned to the department either (1) within 60 days
39 following that death or (2) upon the expiration of the vehicle
40 registration, whichever occurs first. However, in the absence of a

1 surviving spouse, another surviving member of the deceased Purple
2 Heart recipient's family may retain one of the special license plates
3 as a family heirloom, subject to ~~the conditions set forth in~~
4 ~~subdivision (h), upon submitting an affidavit to the department~~
5 ~~agreeing not to attempt to use the special license plates for vehicle~~
6 ~~registration purposes.~~ *the conditions set forth in subdivision (h).*

7 (e) If a surviving spouse who has elected to retain the special
8 license plates as authorized under subdivision (d) dies while in
9 possession of the special license plates, the special license plates
10 shall be returned to the department either within 60 days following
11 that death, or upon the expiration date of the vehicle registration,
12 whichever date occurs first. However, another surviving member
13 of the deceased Purple Heart recipient's family may retain one of
14 the special license plates as a family ~~heirloom, subject to the~~
15 ~~conditions set forth in subdivision (h), upon submitting an affidavit~~
16 ~~to the department agreeing not to attempt to use the special license~~
17 ~~plates for vehicle registration purposes.~~ *heirloom, subject to the*
18 *conditions set forth in subdivision (h).*

19 (f) When an applicant for the Purple Heart license plate qualifies
20 as a disabled veteran, as specified in subdivision (b) of Section
21 22511.55, the applicant may also apply for a distinguishing placard
22 described in subdivision (a) of Section 22511.55 to be used in
23 conjunction with the Purple Heart license plate for the purpose of
24 allowing special parking privileges pursuant to subdivision (a) of
25 Section 22511.5.

26 (g) Sections 5106 and 5108 do not apply to this section.

27 (h) The special license plates issued under this section are not
28 valid for use for vehicle registration purposes or for the purposes
29 of Section 9105, or Section 10783 or 10783.2 of the Revenue and
30 Taxation Code, by a person other than the person issued the special
31 license plates under subdivision (a) and the surviving spouse of
32 that person.

33 (i) For purposes of this section, "family" means grandparents,
34 stepgrandparents, parents, stepparents, siblings, stepsiblings,
35 children, and stepchildren of the person issued the special license
36 plates under subdivision (a).